

### REMARKS

In response to the Restriction Requirement mailed July 14, 2006, Applicant provisionally elects, with traverse, the invention of Group II (claims 19-29), directed to an apparatus for the production of higher molecular weight hydrocarbon compounds or oxygenates from a gas comprising methane. It is unclear to Applicant's Representatives if an election of species is required (see paragraph overlapping pages 2-3 of the Restriction Requirement), as no species for election were listed in the Restriction Requirement. Clarification on this issue is respectfully requested. Reconsideration and withdrawal of the Restriction Requirement, in view of the remarks below, is respectfully requested.

The Restriction Requirement is traversed on the basis that the inventions are closely related. That is, claims directed to an apparatus for the production of higher molecular weight hydrocarbon compounds or oxygenates from a gas comprising methane, including a syngas generation system for generating syngas comprising carbon monoxide and hydrogen by reaction of a gas comprising methane with steam and/or an oxidant gas comprising oxygen; a syngas conversion system for converting syngas into higher molecular weight hydrocarbon compounds or oxygenates and producing offgas comprising unreacted hydrogen and unreacted carbon monoxide; and a cryogen separation system for separating unreacted hydrogen from said offgas or a gas derived therefrom to produce separated hydrogen product that is substantially free of unreacted carbon monoxide and a first cryogenic liquid comprising unreacted carbon monoxide, characterized in that the apparatus further comprises: a cryogenic distillation column for separating unreacted carbon monoxide from said first cryogenic liquid or from a cryogenic liquid derived therefrom (claims 19-29), are related to claims directed to a process for producing higher molecular weight hydrocarbon compounds or oxygenates from a gas comprising methane, including generating synthesis gas comprising carbon monoxide and hydrogen by reaction of a gas comprising methane with steam and/or an oxidant gas comprising oxygen; producing higher molecular weight hydrocarbon compounds or oxygenates in a syngas conversion process; removing offgas comprising unreacted hydrogen and unreacted carbon monoxide from said syngas conversion process; and separating unreacted hydrogen from said offgas or from a gas derived therefrom to produce separated hydrogen product, wherein unreacted hydrogen is

separated in a cryogenic separation process to produce separated hydrogen product that is substantially free of unreacted carbon monoxide and a first cryogenic liquid comprising unreacted carbon monoxide, characterised in that the process further comprises:

separating unreacted carbon monoxide from said first cryogenic liquid or from a cryogenic liquid derived therefrom in a cryogenic distillation column to produce separated carbon monoxide product and substantially carbon monoxide-free cryogenic liquid (claims 1-18).

The Restriction Requirement is also traversed on the basis that Restriction Requirements are optional in all cases. M.P.E.P. § 803. If the search and examination of at least a portion of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it arguably may include claims to distinct or independent inventions. M.P.E.P. § 803. Due to the relatedness of the subject matter of the claims in Group II and Group I, those Groups can be efficiently and effectively searched in a single search with no additional burden placed on the Examiner.

Thus, the Restriction Requirement is properly traversed. Accordingly, reconsideration and withdrawal of the Restriction Requirement is respectfully requested.

Further, Applicant's Representatives respectfully request rejoinder of the claims in Group I with the claims in Group II, upon a notice of allowable subject matter for the claims in Group II.

**RESPONSE TO RESTRICTION REQUIREMENT**

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Title: PROCESS AND APPARATUS FOR THE PRODUCTION OF HYDROCARBON COMPOUNDS FROM METHANE

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**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6959 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date

November 14, 2006

By

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 14 day of November 2006.

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